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COMMITTEE AGAINST TORTURE

Twenty-seventh session

SUMMARY RECORD OF THE FIRST PART (PUBLIC)* OF THE 485th MEETING

Held at the Palais Wilson, Geneva,
on Monday, 12 November 2001, at 10 a.m.

Chairman: Mr. BURNS

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* The summary record of the second part (closed) of the meeting appears as document CAT/C/SR.485/Add.1.

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The meeting was called to order at 10.05 a.m.

STATEMENT BY THE DEPUTY HIGH COMMISSIONER FOR HUMAN RIGHTS

1. Mr. RAMCHARAN (Deputy High Commissioner for Human Rights) said that in his address to the General Assembly two days earlier, the Secretary-General had stressed that the United Nations must always stand for the rule of law in international and domestic affairs and that the Organization must place people at the centre of all its activities. He had underscored that the common thread connecting the most crucial issues facing the Organization was the need to respect fundamental human rights, and he had expressed his determination to integrate human rights even more fully into every aspect of the Organization's work. The Secretary-General's emphasis on the rule of law was of direct relevance for the Committee's work.

2. Since the previous session, Nigeria and Saint Vincent and the Grenadines had ratified the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, bringing the total number of ratifications to 126. Germany had made the declarations provided for in articles 21 and 22, and Seychelles had made the declaration under article 22. All told, 45 States had thus made the declaration under article 22. In addition, Belarus had withdrawn its reservation to article 20.

3. At their 13th meeting, held in June 2001, the Chairpersons of human rights treaty bodies had decided to convene the first inter-Committee meeting. Although no final decision had been taken as to dates, the Secretariat was considering holding the meeting immediately after the 14th meeting of Chairpersons in June 2002. It had also been agreed that the Chairperson and two members from each Committee should be invited to participate. Two possible subjects had been proposed for discussion: methods of work and reservations. The Human Rights Committee had considered the question at its most recent session and had decided to propose that working methods, follow-up procedures and general comments should be the topics for discussion and that consideration of the controversial issue of reservations should be postponed. He invited the Committee against Torture to consider the matter at the current session and to formulate its own proposals.

4. He thanked the Chairman, Ms. Gaer and Mr. Mavrommatis for attending the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance and contributing to the numerous parallel events, which had produced some interesting recommendations. One recommendation which deserved further discussion concerned the possibility of producing a general comment on issues of racism, xenophobia and related intolerance that would be adopted jointly by all treaty bodies.

5. In closing, he assured the Committee that the High Commissioner for Human Rights valued its work highly and had been doing her utmost to increase the level of servicing and support for its efforts.

The meeting was suspended at 10.15 a.m. and resumed at 10.30 a.m

ADOPTION OF THE AGENDA (item 1 of the provisional agenda) (CAT/C/63)

6. The agenda was adopted.

ORGANIZATIONAL AND OTHER MATTERS (agenda item 2)

7. The CHAIRMAN paid a tribute to the contributions made to the work of the Committee by Mr. Silva Henriques Gaspar, who would not be attending the current session and would not be standing for re-election. Mr. Camara had agreed to replace Mr. Silva Henriques Gaspar as country rapporteur for Benin.

8. He also informed members that, only a little more than a week previously, Saudi Arabia had advised the Committee that it would be unable to attend the current session to present its initial report. As there had not been sufficient time to schedule the report of another State party, the Committee would have time to deal with other matters.

9. Mr. RASMUSSEN asked what reason Saudi Arabia had given for not attending.

10. Ms. RUEDA-CASTAÑON (Secretary of the Committee) said that in a letter to the Chairman of the Committee dated 25 October 2001 the Ambassador of Saudi Arabia had said that a delegation from his country would be unable to attend as a consequence of the current international situation, which made it difficult for the concerned sectors of the Government to participate.

11. The CHAIRMAN said that the Committee might wish to consider how it intended to respond to States parties whose reports were repeatedly late.

12. Mr. EL MASRY said that the Committee might allot some time to considering how it would react to the reply of the Legal Counsel to the Committee's request for advice on the applicability of the Convention in the occupied Palestinian territories, although he did not think that it was advisable for the Committee to discuss its response in a public meeting.

13. Mr. MAVROMMATIS noted that a number of statements in the Western press seemed to argue that certain rights could be derogated from because of the current terrorist threat. For example, there had been suggestions that force might be used to obtain confessions from terrorist suspects. The Committee should hold a discussion on the effect on civil liberties and fundamental rights of recent events and the resulting call for greater security.

14. The CHAIRMAN agreed that the question was of relevance to the Committee, which should try to find time to discuss it and perhaps adopt a strongly worded resolution on the issue.

15. Mr. RASMUSSEN proposed that he should report briefly to the Committee on his attendance at a conference on the application of human rights to reproductive and sexual health and a conference he had attended in Berlin earlier in the month in his capacity as a member of the Committee.

SUBMISSION OF REPORTS BY STATES PARTIES UNDER ARTICLE 19 OF THE CONVENTION (agenda item 3)

16. Ms. RUEDA-CASTAÑON (Secretary of the Committee) said that 37 initial reports, 45 second periodic reports, 45 third periodic reports and 29 fourth periodic reports were overdue. Apart from the 5 reports to be considered at the current session, the secretariat had received 16 others, which would appear in the programme of the Committee's future sessions: the initial reports of Belgium, Estonia, Moldova and Saudi Arabia; the second periodic reports of Azerbaijan, Slovenia, Uzbekistan and Venezuela; the third periodic reports of Cyprus, Luxembourg and the Russian Federation; and the fourth periodic reports of Denmark, Egypt, Norway, Spain and Sweden.

The public part of the meeting rose at 10.50 a.m.